

COVID-19 Response: Resumption of On-site Court Operations

Best Practice Recommendations

Webinar for Arizona Courts

May 18, 2020



Overview

- Overview and Introductions
- Guiding Principles
- AO 2020-75: Resumption of On-site Court Services
- Best Practices
 - Customer service
 - Leveraging technology
 - Staffing models
- Questions from the field

Panelists

- Hon. Kyle Bryson, Presiding Judge
Superior Court in Pima County
- Sharon Yates, Court Administrator
Superior Court in Coconino County
- Shawn Friend, Deputy Court Administrator
Superior Court in Maricopa County
- Ken Kung, Court Administrator
Scottsdale City Court
- Ron Overholt, Court Administrator
Superior Court in Pima County
- Lisa Royal, Court Administrator
Pima County Consolidated Justice Court
- Megan Spielman, Clerk of Court
Superior Court in La Paz County
- Hon. Samuel A. Thumma
Court of Appeals, Division One
- David Withey, Chief Counsel, AOC

Moderator: Marcus W. Reinkensmeyer, Court Services Director
Staff: Marretta Mathes, Court Project Specialist

Court Services Through Innovation and Dedication



Tucson City Court



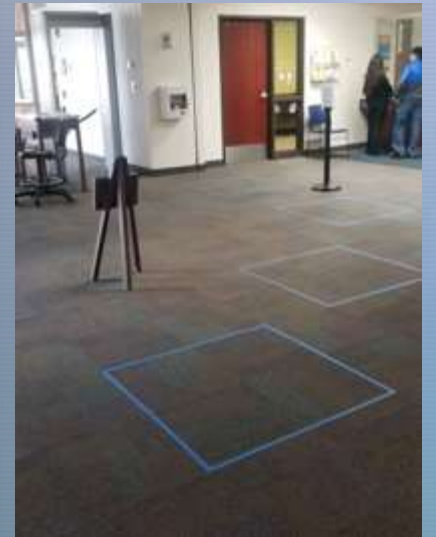
Superior Court in Maricopa County



Court Services Through Innovation and Dedication



Scottsdale City Court –Video Hearing



Flagstaff Justice Court



Phoenix City Court - Triage



Green Valley Justice Courts



Video: Superior Court in Pima County



Plan B:

Assumptions and Guiding Principles

<https://www.azcourts.gov/covid19/>

- Timetable for phased resumption of “new normal” is fluid, based on guidance from public health officials
- Manage contagion transmission
- Meeting constitutional and statutory mandates, with temporary rule suspensions as feasible
- Prioritization of cases
- Continuous data driven backlog assessment, triage and resource allocation
- Social distancing, including through on-line, remote services



COVID-19 Continuity of Court
Operations During a Public Health
Emergency Workgroup Best Practice
Recommendations
May 1, 2020

AO 2020-75:

Limitation of Court Operations & Transition to Resumption of Certain Court Operations

- Courthouse safety
- Technology to minimize in-person proceedings
- Prioritization for case processing
- Safe jury and grand juries
- Time calculation in emergency
- General



Phase 0: Minimal in-person court proceedings,
no jury trials



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graph TD; A[Phase 0: Minimal in-person court proceedings, no jury trials] --> B[Phase I: Limited in-person proceedings and jury trials, health screening and masks, team staffing, June 2020]; B --> C[Phase II: Increased number of in-person proceedings and visitors]; C --> D[Phase III: In-person proceedings fully resume]; D --> E[Phase IV: Return to "normal" – no restrictions];
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Phase I: Limited in-person proceedings and
jury trials, health screening and masks, team
staffing, June 2020

Phase II: Increased number of in-person
proceedings and visitors

Phase III: In-person proceedings fully resume

Phase IV: Return to “normal” – no restrictions

1. Courthouse Safety

- Team staffing model – local court staffing plans
- Telecommuting for customer service and back-office functions
- Admittance policies, including health screening and masks. Optional temperature taking policies
- Limit persons: 10 and 30, expand to 50 in Phase II



The poster features the Arizona Supreme Court seal on the top left. The title 'Arizona Supreme Court COVID-19 Visitor Screening Procedures' is in the top right. A blue box contains instructions to advise the Court Security Officer. Three colored boxes (yellow, red, yellow) list screening criteria 1, 2, and 3, each with an icon: a globe for international travel, a warning triangle for symptoms, and a circular arrow for contact with someone under investigation.

Arizona Supreme Court
COVID-19
Visitor Screening Procedures


Please advise the Court Security Officer prior to entering the Screening Area if you meet either 1, 2, or 3 below. For the health and safety of visitors and employees at the Arizona Supreme Court, all are asked to remain at home and not enter if you meet the following criteria.

- 1** Individuals who have returned from international travel or been on a cruise within the last 14 days. 
- 2** Individuals who report signs or symptoms of a respiratory infection such as: **Fever Cough Shortness of Breath** 
- 3** Individuals who have had contact with someone who has OR is under investigation for COVID-19. 

Best Practices – Staffing and Operations

- Protective masks, gloves
- Protective screens
- Frequent and continuous deep cleaning





Peremptory Strikes for a Judge Assigned to a Case

- Temporarily suspending rules of court that afford litigants a notice of change of judge as of right for a judge assigned to a case through December 31, 2020
- Superior Court Civil, Criminal, Family, Juvenile, and Justice Court Rules of Civil Procedure
- Reduce travel-related risks (particularly for courts with fewer judges) and ensure capacity
- AO 2020-75 at 2(I)(4)

2. Technology to minimize in-person proceedings

- Remote hearings via teleconference, video
- Posting on Supreme Court website
- Electronic transmission of docs via email and e-filing
- ODR – criminal misdemeanor case
- Tele-medicine for Rule 11 and other services



Best Practices – Technology



Tucson City Court

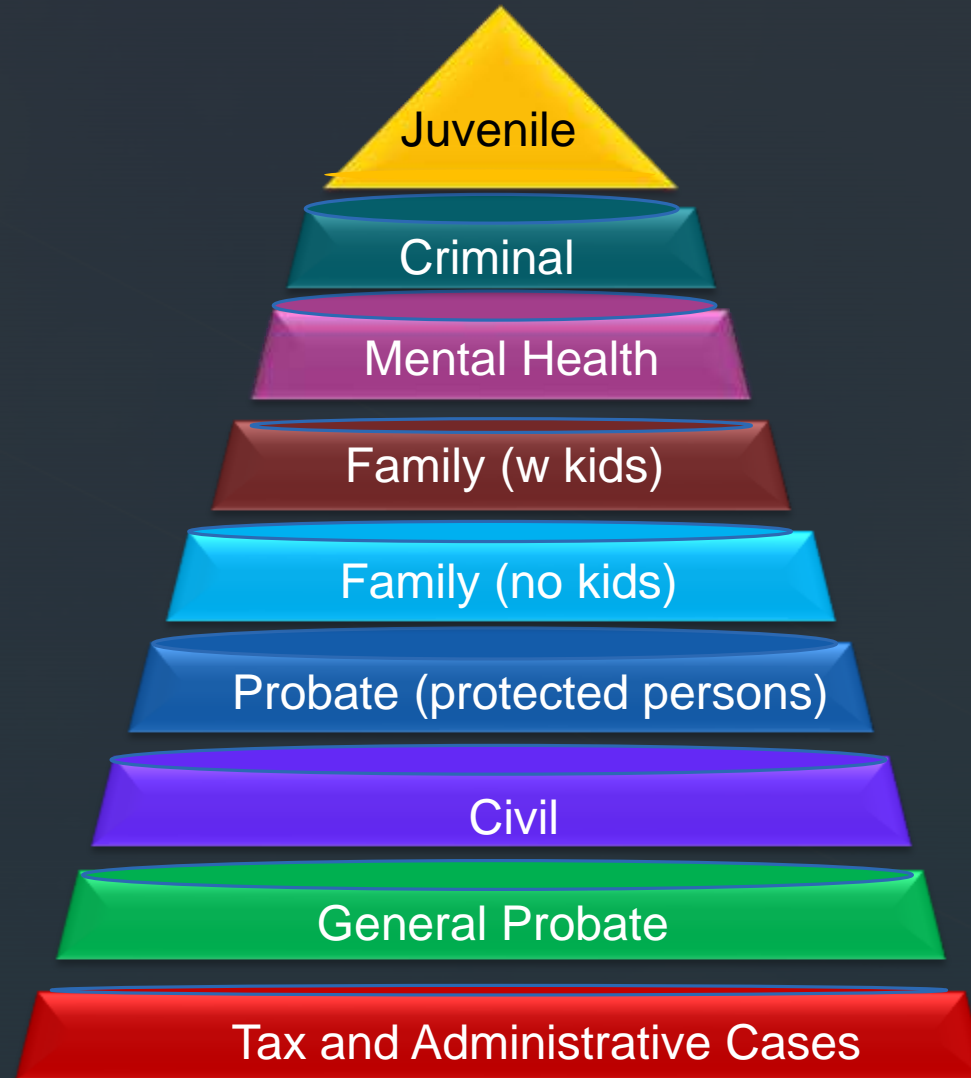


Scottsdale City Court

3. Prioritization in Case Processing: Jury Trials



3. Prioritization in Case Processing: Case Types



4. Safe jury and grand juries

- Social distancing measures:
 - Courtrooms in lieu of juror assembly rooms
 - Staggered starting times
 - Large jury deliberation areas
- Virtual juror selection and trials
- Video grand juries - Mohave County
- Juror excusal policies
- Deep cleaning of facilities




Superior Court of Maricopa County



Peremptory Strikes of Jurors

- Temporarily reduce the number of peremptory strikes of jurors to:
 - two per side in felony and civil cases in Superior Court, except for capital cases
 - one per side in all misdemeanor and civil cases in limited jurisdiction courts
- Through December 31, 2020
- AO 2020-75 at 6(IV)(3)



Reduction in the number of jurors resulting from suspension of peremptory challenges

Felony trial with 12 person jury and 2 alternates:

- With 6 peremptories per side: 12 person jury + 2 alternates + 12 peremptories = 26 qualified jurors needed
- With 2 peremptories per side: 12 person jury + 2 alternates + 4 peremptories = 18 qualified jurors needed
- Reduction in peremptories results in a 30% reduction in the number of qualified jurors needed



5. Time calculation in emergency,
through August 1, 2020

6. In General

- Drop boxes for hard copy documents
- Using technology for probation supervision
- Virtual marriage ceremonies
- Meetings of superior court PJ's with limited jurisdiction courts
- Information in English and Spanish

Communications Strategy



- Public information through PIO's, web-sites, social media, signage, etc.
- Supreme court and local court websites, providing information on court services, both in English and Spanish (Title VI requirements)
- Expansion of text messaging to communicate with litigants, jurors, the public

Questions and Discussion

Resources

- Plan B Recommendations
- AO 2020-75
- Phased Recovery Plan, Glendale Municipal Court
- Court Safety Measures, Scottsdale City Court
- Temperature Check Guidelines, Scottsdale City Court
- Planned AZ webinar on jury management

For Additional Information:

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